

Remarks

Claims 1-11 and 13-33 are currently pending. Please cancel claims 1-11 and 13-20 without prejudice. No new matter has been added. Support for the amendments may be found throughout the specification, including the claims as originally filed. For example, support for “Syntaxin-4 Interacting Protein” may be found at page 2 of the specification. Further, support for 85%, 90%, 95%, and 98% identities may be found at page 12 of the specification.

Amendment of claims should in no way be construed to narrow their scope or as an acquiescence to any of the Examiner’s rejections. The amendments to the claims are being made solely to expedite prosecution of the present application. Applicants reserve the option to further prosecute the same or similar claims in the instant or in a subsequent patent application.

Rejection of claims 21-33 under 35 U.S.C. § 112, second paragraph

The Examiner has rejected claims 21-33 under 35 U.S.C. § 112, second paragraph as being allegedly indefinite for failing to particular point out and distinctly claim the subject matter which applicant regards as the invention.

The Examiner alleges that it is not clear in claim 21 what is meant by “SYNIP,” and suggests that claim 21 be amended to recite the definition of the acronym. Applicants have so amended claim 21, which now recites the acronym.

Further, the Examiner has alleged that it is not clear what the term “substantially similar” means in claims 21, 23, and 24. Applicants have amended the claims to remove this term and instead recite the phrase “with at least 85% identity.” Applicants defined “substantially similar” at page 11 to include variants or derivatives (for example sequences with substitutions) of SEQ ID NOs 2 and 5. Applicants further elaborate on page 12 that variants or derivatives of SEQ ID NOs 2 and 5 may have various degrees of sequence identity with SEQ ID NOs 2 and 5, for example, at least 65%, 75%, 85% identity or more. Thus, Applicants submit that the present amendment clarifies what is meant by “substantially similar” in the claims.

The Examiner has also alleged that it is not clear what the term “at least about” means in claims 27-32, and has suggested that Applicants delete the word “about” in these claims. Applicants have so amended these claims.

Still further, the Examiner has suggested that the term “identical” in claims 27-32 be replaced with the term “identity,” as “identity” is the art-recognized term. Applicants have so amended these claims.

Finally, the Examiner has alleged that the term “substantially purified” in claim 33 is unclear. Applicants respectfully point Examiner to page 11, line 11 of the specification, wherein the term “substantially purified” is defined as meaning “that the protein should be free from detectable contaminating protein.”

In light of the foregoing arguments, Applicants respectfully request the withdrawal of the all of the rejections under 35 U.S.C. § 112, second paragraph for indefiniteness.

Conclusion

In view of the foregoing amendments and remarks, Applicants submit that the pending claims are in condition for allowance. Early and favorable reconsideration is respectfully solicited. The Examiner may address any questions raised by this submission to the undersigned at 617-832-1000. No fee is believed to be due in connection with this application. Should an extension of time be required, Applicants hereby petition for same and request that the extension fee and any other fee required for timely consideration of this application be charged to Deposit Account, No. 06-1448.

Respectfully submitted,

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